

MEMO ENDORSED

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September 25, 2023

Hon. Kenneth M. Karas
United States Courthouse
300 Quarropas Street
White Plains, NY 10601

Re: USA v. William Lewis
16 CR 302 (KMK)

Dear Judge Karas:

On behalf of William Lewis, would you kindly accept this letter as a motion for early termination of his Supervised Release? The Government and U.S. Probation were previously notified of this request, and the position of each will be set forth below.

HISTORY OF THE CASE

William was arrested on February 19, 2016 by state authorities. The case was transferred to the federal system and this system shows the date of arrest as June 10, 2016. However, William Lewis was in local police custody from February to June of 2016. He was arrested along with several other defendants. The charges were Robbery, Conspiracy to Commit Robbery, Using and Carrying a Firearm, and of course, the most serious charge, causing the death of the individual that was the target victim on the robbery. Mr. Lewis was detained at the arraignment and remained in federal custody until the conclusion of the case. My records show that a guilty plea to four counts was entered on or about March 29, 2017. The 4 counts included the Robbery, the accompanying Conspiracy, Using and Carrying a Firearm during a crime of violence, and a narcotics conspiracy.

William was in the Queens GEO detention center until his sentence date in 2018. The Court pronounced a sentence of sixty months, with five years of Supervised Release. The delay between plea and sentence was the result of Mr. Lewis participating in numerous proffer sessions, as well as giving testimony at the jury trial of a co-defendant (Herring).

Once he was sentenced, he was sent to the BOP, where he was not treated well by inmates or guards, as he was labeled a snitch by both groups. He was having an especially difficult time at one particular FCI. He was returned to GEO through the efforts of AUSA Comey, for which he was and remains, very appreciative. He remained at GEO until his release in April 2020, at which time he was granted compassionate early release by this Court. A copy of the Court's Order is annexed as an exhibit. He was also given Supervised Release and he has been assigned to a USPO with offices in Manhattan. Upon information and belief, Mr. Lewis has been compliant with his Probation Officer, Mr. Pakula..

HISTORY WHILE ON SUPERVISED RELEASE

The day that the release was issued in April 2020 by the Court was a day of happiness for Mr. Lewis, followed by significant frustration. As the Court knows, GEO was not a BOP facility. As such, there was no case manager assigned, nor was there any preparation made for his release. He was basically released to the street, and one of the guards lent him \$ 10 to get cab fare to the nearby shelter. He had trouble getting in there, as he had no ID. He rode the subway that night and the next day he was able to secure a bed in a shelter in upper Manhattan. The place was neither a drug-free nor Covid-free atmosphere, so William got out and tried to get into another shelter. P.O. Pakula assisted in getting him a bed at a facility on 30th street, Manhattan.

Officer Pakula has been very helpful to William in terms of assisting in securing shelter housing early on, and in other ways as well.

After a short time in Manhattan facilities, William was able to get into a shelter in Queens. He moved from a shelter on Jamaica Avenue to one on 153rd Court, also in Jamaica. He currently resides in that shelter. William has advised me that he got a lease for a small apartment in upper Manhattan, with the consent of the USPO.

FAMILY AND PERSONAL SITUATION

Mr. Lewis has had virtually no family support since his arrest and since his release from custody. He has been trying to get new identification documents for many, many months. Together we worked to get a new birth certificate from New York City. On the third effort, the application was accepted and ultimately, a new birth certificate was issued. Much to William's surprise, the name on the birth certificate was Willie, not William. His mother had not told him that such was the case, and it is not known if this was the given name or a typographical error by someone in the hospital. He has used the name William all through school, and through the court systems. At no time did he intend to mislead any agency as to his true name. He has been trying to get the Department of Health to change some of the records, but such is unlikely to happen, in my opinion. I believe that he has

remedies, including a Name Change petition. He also is trying to clarify his situation with the Social Security Administration.

William Lewis has also had some significant health issues these last few years. He suffers from diabetes. He recently had to have a toe amputated at Jamaica Hospital due to infection leading to gangrene. He is still recovering from that surgery. He now uses a cane to aid in walking. Apparently, he may need a laser procedure to open some leg veins to improve blood flow so that the toe issue does not recur.

POSITIVE DETAILS

William has reported regularly to his Probation Officer. He has given urine samples on scheduled occasions and on surprise visits from the P.O. He has not tested positive on any of these tests.

Mr. Lewis has had no police contact while on supervised release. It has been 3 years and 4 months since his compassionate release. He reports that many of his visits with his P.O. are done on a Face Time basis. The reporting is as ordered by the P.O.

Officer Pakula has made home visits to the shelter where William resides. There have been no issues reported as a result of these visits. Upon information and belief, he is tested for drugs and he has not shown to be using any substances.

William Lewis is currently undergoing mental health treatment by a therapist provided by the government. He travels to Sutphin Blvd. in Jamaica for these visits. The treating doctor recently left this office and William is now meeting with a new therapist at that original location. He feels that the visits are benefitting him, and he plans to continue, whether mandated or not.

ATTITUDE OF PROBATION AND THE GOVERNMENT

Mr. Lewis's Probation Officer is P.O. Adam Pakula. He is aware of the fact that I will be submitting this request for William. By email correspondence to the undersigned dated November 16 of 2022, he indicated that his office takes no position on the application. On August 21, 2023, he again indicated that his office was maintaining its position. His phone number is 212 805-5171 and his email is adam.pakula@nysp.uscourts.gov.

The Government's position was expressed by AUSA Maurene Comey. It is my understanding that the Government opposes this application, as AUSA Comey stated that her office's position (of opposing this request) has not changed. I will let the Government express the reasoning for this position. (maurene.comey@usdoj.gov).

As the Court can see, there have been no negative incidents during the period of Mr. Lewis's Supervised Release. He has had no arrests, no violations of the supervised release, or anything that would reflect negatively or lead the Court to feel that he was not a candidate for release from the condition of supervision.

Mr. Lewis composed a letter to the Court, which, for some technological reason, I have been unable to attach as an exhibit. The essence of Mr. Lewis' letter is that he has struggled since his release on S. R. due to his health issues, and his criminal record was blocking certain housing options. He states that he started receiving SSI in 2022 for his mental health and diabetes issues. He lost a toe in May to infection, probably related to his diabetes. Further, he indicates that his thinking has changed and he is doing all he can to comply with Probation. He recently secured new housing in the Bronx and he should be moving out of the men's shelter when the apartment is ready.

William Lewis has served two-thirds of the 5 year term of the Supervised Release. It appears that he has made a positive adjustment to civilian life after his stint at the B.O.P and at GEO. In the absence of objection from Probation and without concrete reasons relied upon by the Government, it would be reasonable for the Court to grant his application for early termination of the Supervised Release, and he respectfully makes that request.

Thank you for your courtesies, and kindly advise me if anything further is required on my part to assist the Court.

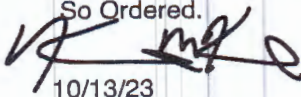
Respectfully,

Michael F. Keesee

cc: AUSA Comey via ECF and email
USPO Pakula via email
William Lewis via email

Application for early termination of supervised release is denied. Mr. Lewis has a lengthy and violent criminal history, which includes the conduct that has led to his current term of supervised release, a factor that weighs heavily against this application. Moreover, while Mr. Lewis appears to have been in compliance with the conditions of his release, that is to be expected and by itself does not justify early termination. Mr. Lewis remains unemployed, but appears to be benefitting from the mental health treatment that the Probation Department has facilitated. Thus, at a minimum, it does not appear that continued supervised release will hinder Mr. Lewis' rehabilitation efforts.

So Ordered.



10/13/23